

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In re:

Randall L. Riddle

Cindy L. Riddle

Soc.Sec.No: xxx-xx-9289 and xxx-xx-8542

Mailing Address: 6205 Yarbrough Road, Mebane, NC 27302

Case No. 10-81630- -

Chapter 13

Debtors.

RESPONSE TO TRUSTEE'S MOTION TO MODIFY PLAN

Undersigned counsel for the Debtors hereby responds to the Trustee's Motion to Modify Plan, dated July 31, 2011, and in would show the court as follows:

1. On July 25, 2011, counsel for the Debtors filed an Objection to the IRS's proof of claim, asserting that the proof of claim overstates the priority amount.
2. On August 3, 2011, counsel for the Debtors received notification that the IRS will be amending its proof of claim to reduce the priority amount to approximately \$4,007.60.
3. As of the date of this response, the amended proof of claim has not been filed. However, given that the amended proof of claim will likely obviate the need for a plan payment increase, the Debtors request that this matter be set for hearing.

Dated: August 4, 2011

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s Koury Hicks

Koury Hicks
N.C. State Bar No.: 36204
6616-203 Six Forks Road
Raleigh, NC 27615
(919) 847-9750

CERTIFICATE OF SERVICE

I, Koury Hicks, of the Law Offices of John T. Orcutt, P.C., under penalty of perjury, do hereby certify that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on August 4, 2011, I served copies of the foregoing **Response**, by first class mail or by electronic noticing when appropriate.

Richard Hutson, II
Chapter 13 Trustee

Michael West,
U.S. Bankruptcy Administrator

/s Koury Hicks

Koury Hicks